

VIA HAND DELIVERY SEPTEMBER 19, 2002

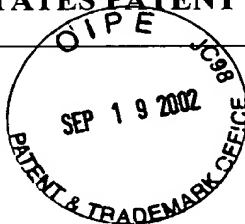
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Ni et al.

Application No.: 09/911,346

Filed: July 24, 2001

For: Natural Killer Cell Enhancing Factor C



Docket No.: PF199D2

Group Art Unit: 1646

Examiner: P. Mertz

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REQUEST UNDER 37 C.F.R. § 1.821(e)

BOX SEQUENCE
Commissioner for Patents
Washington, DC 20231

Sir:

The above-identified patent application is a divisional of Application Serial No. 09/407,891, filed September 29, 1999, which is a divisional of Application Serial No. 08/467,265, filed June 6, 1995. The computer readable form of the "Sequence Listing" in this application 09/911,346 is identical to that filed in Application Serial No. 08/467,265, filed September 29, 1999.

In accordance with 37 C.F.R. § 1.821(e), please use the only-filed computer readable form filed in Application Serial No. 08/467,265 as the computer readable form for the instant application. It is understood that the Patent and Trademark Office will make the necessary change in application number and filing date for the computer readable form that will be used for the instant application. A paper copy of the Sequence Listing is included in a separately filed Amendment and Response for incorporation into the Specification. Applicants hereby certify that the paper copy of the Sequence Listing filed herewith and the computer readable sequence listing previously filed in connection with Application Serial No. 08/467,265 are the same and do not include new matter.

Respectfully submitted,

Dated: September 19, 2002

Lin J. Hymel
Registration No.: 45,414
HUMAN GENOME SCIENCES, INC.
9410 Key West Avenue
Rockville, Maryland 20850
(301) 251-6015
Attorneyfor Applicants

MMW/LJH/FR/ba

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

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The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 CFR 1.821-1.825. Applicant's attention is directed to these regulations, published at 114 FR 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- ☒ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 CFR 1.821(c).
- ☒ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 CFR 1.822 and/or 1.823, as indicated on the attached copy of marked-up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e).
- ☒ 7. Other: Applicant should follow the format of the attached sample statement to request that the CRF filed in the parent application must provide: application be used to create a CRF in this application.
- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing"
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d)

For questions regarding compliance with these requirements, please contact

For Rules Interpretation, call (703) 308-1123

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